

SUSAN A. HARTNETT  
hartnett@srbc.com

March 3, 2005

The Honorable Mark L. Wolf  
District Judge  
United States District Court  
for the District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
1 Courthouse Way, Room 2300  
Boston, MA 02210

Re: *National Casualty Company v. First State Insurance Group*  
U.S.D.C. Civil Action No. 04-10167MLW

Dear Judge Wolf:

As requested by the Court at the hearing of February 17, 2005, we write to advise the Court that our client, National Casualty Company, intends to appeal from the Court's bench ruling of February 17, 2005 and its order of February 18, 2005. Accordingly, and as discussed at the hearing, National Casualty requests that the Court issue a written memorandum of decision.

In addition, National Casualty requests that the Court change the date of entry of judgment to the date of the Court's memorandum of decision, rather than February 18, 2005. We make this request in order to avoid the potential problem of preparing the appeal without the benefit of the Court's memorandum. Furthermore, National Casualty makes this request as we are presently still awaiting receipt of the transcript of the February 17 hearing, although we immediately ordered a copy of that transcript, and expected to have it last week.

Thank you.

Very truly yours,

/s/ Susan A. Hartnett

Susan A. Hartnett

SAH/gv

The Honorable Mark L. Wolf

March 3, 2005

Page 2

cc: Via E-mail:

Lloyd A. Gura, Esquire

Thomas M. Elcock, Esquire

#360199